

Defendant Allquest Home Mortgage Corporation, formerly known as Allied Home Mortgage Corporation (hereinafter “Allied Corporation” to facilitate comparison with the Amended Complaint) respectfully submits this Motion to Dismiss the government’s Second Amended Complaint (“Complaint”) pursuant to Fed. R. Civ. P. 12(b)(6) for failure to state a claim upon which relief may be granted. The Complaint alleges violations of the False Claims Act, 31 U.S.C. § 3729 *et seq.* (the “FCA”) and the Financial Institutions Reform, Recovery and Enforcement Act, 12 U.S.C. § 1833a (“FIRREA”), but fails to state a viable claim under either statute. Allied Corporation incorporates the arguments as more fully set forth in the Memorandum of Law filed herewith.

DATE: November 20, 2012

Respectfully submitted,

Munsch Hardt Kopf & Harr, P.C.

By: _____/s/

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CERTIFICATE OF SERVICE

I hereby certify that, on this 20th day of November, 2012, a copy of the foregoing Motion to Dismiss was served upon all parties and counsel of record via the Court's CM/ECF system.

/s/
Bruce E. Alexander